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Department of Labour, Canada

Minister—Hon. W. A. GORDON

Deputy Minister—H. H. WARD

Bulletin No. 12

Industrial Relations Series

Canadian Railway Board of Adjustment No. 1

Fifth Report of Proceedings of Board

Covering Period

October 1, 1930, to September 30, 1933

In continuation of:

First Report issued under date of October 1, 1920, covering period from August 7, 1918, to August 31, 1920;

Second Report under date of October 1, 1923, covering period from September 1, 1920, to September 30, 1923;

Third Report under date of October 1, 1927, covering period from October 1, 1923, to September 30, 1927;

and

Fourth Report under date of October 1, 1930, covering period from October 1, 1927, to September 30, 1930

Official Statement over signatures of Chairman
and Vice-Chairman of Board with
record of cases dealt with

Issued as Supplement to the LABOUR GAZETTE, December, 1933

OTTAWA
J. O. PATENAUDE
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1933

BULLETINS

OF THE

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- Bulletin 1.—Joint Councils in Industry.
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- Bulletin 6.—International Labour Organization—Laws of Canada bearing on Draft Conventions and Recommendations. (Out of print.)
- Bulletin 7.—Canadian Railway Board of Adjustment No. 1, Report of proceedings of Board from September 1, 1920, to September 30, 1923.
- Bulletin 8.—National Conference Regarding Winter Employment in Canada—Held at Ottawa, September 3-4, 1924.—Report of Proceedings.
- Bulletin 9.—Canadian Railway Board of Adjustment No. 1, Report of Proceedings of Board from October 1, 1923, to September 30, 1927.
- Bulletin 10.—Canadian Railway Board of Adjustment No. 1, Report of Proceedings of Board from October 1, 1930, to September 30, 1933.
- Bulletin 11.—Government Intervention in Labour Disputes in Canada.

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CANADIAN RAILWAY BOARD OF ADJUSTMENT No. 1

ROOMS 716-717 UNIVERSITY TOWER BUILDING (UNIVERSITY AT ST. CATHERINE ST.)
MONTREAL, QUE.

OCTOBER 1, 1933.

IN conformity with adopted practice, the Fifth Report of Canadian Railway Board of Adjustment No. 1 is submitted at this time. It covers the operations of the Board for the period October 1, 1930, to September 30, 1933.

More than fifteen years ago, on July 26, 1918, at the invitation of the late Hon. G. D. Robertson, Senator, and then Acting Minister of Labour for Canada, a Conference was held in Montreal between the representatives of the Dominion Government, the Canadian Railway War Board, the Railways of Canada, and the Train Service, Telegraphers and Trackmen's Labour Organizations on these Railways.

Some forty-three representatives of Canadian Railways and seventy-six representatives of the Railway Employees' Organizations attended this meeting, under the Chairmanship of the Hon. G. D. Robertson, who explained that the purpose for which the conference had been called was to devise and put into effect a method that would equitably and fairly adjust the difficulties arising, and the changed conditions of employment resulting from the adoption by the Canadian Railways of General Order No. 27 of the Director General of the United States Railways.

To quote from the Chairman's opening remarks:—

"The Government approves of the idea for one purpose only, and that is for the maintaining of industrial peace on the Railways, and to have the transportation of the country carried on without interruption."

After several meetings between the representatives, an Agreement constituting Canadian Railway Board of Adjustment No. 1 was entered into on the 7th day of August, 1918, between the Canadian Railway War Board, acting for the Railways of Canada, and the six Labour Organizations on these Railways representing the Engineers, Firemen, Conductors, Trainmen, Telegraphers, and Maintenance of Way Employees. The first paragraph of this Agreement read, in part:—

"Whereas the parties hereto, in united desire to avoid disputes or misunderstandings which would tend to lessen the efficiency of transportation service in Canada during the war, have resolved upon the appointment of a Board, etc., etc. . . ."

The Board, thus formed to meet the exigencies of war times, operated under this Agreement until April 15, 1921, when a new compact was drawn up continuing its functions. This Agreement, which is still in force, was between the Railway Association of Canada (successor to Canadian Railway War Board) and the same six Organizations representing the employees in Train, Telegraph and Track service. It reads as follows:—

MEMORANDUM OF AGREEMENT made between the Railway Association of Canada, acting for the Railways of Canada, whose names appear in Appendix "A" hereof, members thereof, of the one Part; and
The Brotherhood of Locomotive Engineers,
The Brotherhood of Locomotive Firemen and Enginemen,
The Order of Railway Conductors,
The Brotherhood of Railroad Trainmen,
The Order of Railroad Telegraphers, and
The United Brotherhood of Maintenance of Way Employees and Railway Shop Labourers.

acting for the said classes of employees of the said railways, of the other Part.

Whereas the parties hereto, guided by a desire to aid in the preservation of industrial peace in the Dominion of Canada, have resolved upon the appointment of a Board composed of members to be selected as hereinafter prescribed, which shall have full power and authority to determine all differences which may arise between any of the said railways and any of the classes of its employees above-mentioned, and which are not settled between the officers and employees of the railway concerned, including the interpretation of wage schedules or agreements, having due regard to the rights of the several classes of employees and of the railways respectively.

Now therefore, it is agreed by and between the parties as follows:—

1. The Board appointed in pursuance of the terms of agreement dated August 7, 1918, between the parties hereto, known as Canadian Railway Board of Adjustment No. 1, shall be continued subject to change or dissolution as provided for herein.

2. The Board shall consist of twelve members, six to be selected by the Railway Association of Canada and compensated by the Railways, and six by the Executive Officers of the Organizations of Employees hereinbefore named, and compensated by such organizations.

3. The Officers of the Board shall consist of a Chairman and a Vice Chairman who shall be members of the Board and elected by the Board, and a Secretary appointed by the Chairman subject to approval of the Board.

The Chairman and Vice Chairman shall serve for a period of one year from date of election. In case of vacancy the position shall be filled for unexpired portion of term by the election of a member of the Board.

The Chairman or Vice Chairman shall preside at meetings of the Board, and both are required to vote upon the adoption of all decisions by the Board.

4. The Board shall meet regularly at stated times and continue in session until all matters placed before it at the commencement of the session in accordance with its regulations, have been considered.

5. Unless otherwise mutually agreed, all meetings of the Board shall be held in the City of Montreal, P.Q., provided that the Board shall have authority to empower two or more of its members to conduct hearings and pass upon controversies when properly submitted, at any place designated by the Board, provided, further, that such division of the Board shall not be authorized to make final decision. All decisions shall be made, approved, or ratified by the Board as herein provided.

6. Should a vacancy occur in the Board, such vacancy shall be filled immediately by the same appointive authority which made the original selection.

7. The Board shall render decisions on all matters of controversy arising from interpretations of wage agreements and other matters in dispute, as provided in the preamble hereof, and when submitted to the Board in accordance with its regulations.

8. All disputes, including personal grievances, or controversies arising or pending under interpretation of wage Agreements between officials of a railway and its employees covered by this agreement, are to be handled in the usual manner by General Committees of the Employees up to and including the Chief Operating Officer of the railway (or someone officially designated by him), when if an agreement be not reached, the Chairman of the General Committee of employees may refer the matter to the Executive Officer of the organization concerned, and if the contention of the Employees' Committee is approved by such Executive Officer, then the Chief Operating Officer of the Railway and the Executive Officer of the Organization shall refer the matter with all supporting papers to the Board which shall promptly hear and decide the case, giving due notice to the Chief Operating Officer of the railway and to the Executive Officer of the organization of the time set for hearing.

9. No matter will be considered by the Board unless officially referred to it in the manner herein described, provided, however, that no case having origin in circumstances which occurred prior to August 7, 1918 (date of original agreement between Canadian Railway War Board and Labour Organizations upon which Canadian Railway Board of Adjustment No. 1 was founded), shall be referred to the Board except those arising out of disputes properly pending at the above mentioned date.*

10. In hearings before the Board, the railway shall be represented by such person or persons

as may be designated by the Chief Operating Officer, and the employees shall be represented by such person or persons as may be designated by the Executive Officer of the organization.

11. All clerical and office expenses will be borne equally by the Railway Association of Canada and the organizations above mentioned. The railway directly concerned and the organizations involved in a hearing, respectively, will assume any expenses incurred in presenting a case.

12. In each case an effort should be made by the disputants to present a joint, concise statement of facts, but the Board is fully authorized to require information in addition to such statement of facts, and may call upon the Chief Operating Officer of the railway or the Executive Officer of the organization for additional evidence, either oral or written. In event of a joint statement not being submitted, each disputant should furnish the other with a copy of his individual statement and each should give the other a copy of his supporting statement of the contention.

13. All decisions of the Board shall be approved by a majority vote of all members of the Board, except that in the event of a member of the Board presenting a case, such member shall not vote upon the decision of the case, and in order that the voting strength of each side may be equal, a member of the opposite side of the Board shall refrain from voting.

14. After a matter has been considered by the Board, in the event a majority vote cannot be obtained, any six members of the Board may elect to refer the matter upon which no decision has been reached to a referee to be unanimously agreed upon by the Board, and in case of failure to agree, application shall be made to the Minister of Labour of the Dominion of Canada for appointment of a referee.

15. The Board shall keep a complete and accurate record of all matters submitted for its consideration, and of all decisions made by the Board.

16. A report of all cases decided, including the decisions, will be filed with the Railway Association of Canada, with the Chief Operating Officer of the Railway affected and with the Executive Officer of the organization concerned.

17. It is further agreed that the Board shall have like authority to determine differences between any of the railways represented herein and any other classes of employees of such railways, and between any steam railway in Canada not represented herein and the employees thereof, provided that the parties to the dispute shall make joint submission of the case to the Board and shall agree that the decision of the Board shall be accepted by each party as final and binding.

18. This Agreement shall remain in full force and effect until amended or terminated in accordance with the terms of Clause 19 hereof.

19. Should it be desired by the Railway Association of Canada, representing the railways, or a majority of the Executive Officers of the organizations, representing the employees, this Agreement may be amended or terminated at any time during its existence upon service of thirty days' notice by the one party upon the other.

* The following Supplement to paragraph 9 was agreed to by the parties and passed by Resolution of the Board at meeting of December 27th, 1927:

"That any case submitted to this Board should have its origin in circumstances occurring within two years previous to the date of such submission."

Signed on behalf of each of the above-named parties this 15th day of April, A.D. 1921.

THE
RAILWAY ASSOCIATION OF CANADA,
By (Sgd.) GRANT HALL,
Chairman, Operating Committee.
THE BROTHERHOOD OF LOCOMOTIVE
ENGINEERS,
(Sgd.) W. S. STONE,
By Ash Kennedy, A.G.C.E.
THE BROTHERHOOD OF LOCOMOTIVE
FIREMEN AND ENGINEMEN,
(Sgd.) W. S. CARTER, President.
By Geo. K. Wark, Vice-President.
THE ORDER OF RAILWAY CONDUCTORS,
(Sgd.) L. E. SHEPPARD, President.
By S.N.B.
THE BROTHERHOOD OF RAILROAD
TRAINMEN,
(Sgd.) W. G. LEE, President.
By J.M.
THE
ORDER OF RAILROAD TELEGRAPHERS,
(Sgd.) E. J. MANION, President.
By J. M. Mein, Deputy President.
THE UNITED BROTHERHOOD OF MAIN-
TENANCE OF WAY EMPLOYEES AND
RAILWAY SHOP LABOURERS,
(Sgd.) E. F. GRABLE, President.
By W.D.

Appendix "A"

CANADIAN NATIONAL RAILWAYS.
CANADIAN PACIFIC RAILWAY.
DOMINION ATLANTIC RAILWAY.
EDMONTON, DUNVEGAN & BRITISH CO-
LUMBIA RAILWAY.*
ESQUIMALT & NANAIMO RAILWAY.
GRAND TRUNK RAILWAY.¹
GRAND TRUNK PACIFIC RAILWAY.¹
NEW BRUNSWICK COAL & RAILWAY
COMPANY.
QUEBEC CENTRAL RAILWAY.
TEMISKAMING & NORTHERN ONTARIO
RAILWAY COMMISSION.
TORONTO, HAMILTON & BUFFALO RAIL-
WAY COMPANY.

Changes in Personnel

August 11, 1931—Mr. S. N. Berry, elected President of the Order of Railway Conductors, appointed Mr. C. S. Montooth, Vice-President of that Organization, to represent him on the Board;

January 10, 1933—Mr. A. D. MacTier, Vice-President, Canadian Pacific Railway, Eastern Lines, retired;

Mr. W. M. Neal, General Manager, Canadian Pacific Railway, Western Lines, succeeded Mr. A. D. MacTier, as representative of the Railway Association of Canada;

August 8, 1933—Mr. R. H. Cobb, Assistant Grand Chief Engineer, Brotherhood of Locomotive Engineers, retired;

Mr. H. B. Chase, Assistant Grand Chief Engineer, succeeded Mr. R. H. Cobb as representative of the Brotherhood of Locomotive Engineers;

August 8, 1933—Mr. J. J. Trainor, Acting Vice-President, Order of Railroad Telegraphers, retired;

Mr. W. H. Phillips, Vice-President, succeeded Mr. J. J. Trainor as representative of the Order of Railroad Telegraphers.

September 13, 1933—Hon. James Murdock, Vice-President, Brotherhood of Railroad Trainmen, retired;

Mr. W. J. Babe, Vice-President, succeeded Hon. James Murdock as representative of the Brotherhood of Railroad Trainmen.

Officers elected during period

February 10, 1931—Mr. A. E. Crilly, re-elected Chairman.

February 10, 1931—Mr. H. H. Lynch, re-elected Vice Chairman.

March 9, 1932—Mr. H. H. Lynch, elected Chairman (succeeding Mr. A. E. Crilly); re-elected Chairman May 2, 1933.

March 9, 1932—Mr. H. T. Malcolmson, elected Vice Chairman (succeeding Mr. H. H. Lynch); re-elected Vice Chairman May 2, 1933.

Membership of Board

At present the Board consists of the following members:—

Mr. H. H. Lynch, Vice-President, Brotherhood of Locomotive Firemen and Enginemen, Chairman;

Mr. H. T. Malcolmson, Vice-President and General Manager, Toronto, Hamilton & Buffalo Railway Company, Vice Chairman;

Mr. W. J. Babe, Vice-President, Brotherhood of Railroad Trainmen;

Mr. S. N. Berry, President, Order of Railway Conductors, represented by Mr. C. S. Montooth, Vice-President;

Mr. H. B. Chase, Assistant Grand Chief Engineer, Brotherhood of Locomotive Engineers;

Mr. S. B. Clement, Chief Engineer, Temiskaming & Northern Ontario Railway Commission;

Mr. A. E. Crilly, Chief of Wage Bureau, Canadian National Railways;

* Now Northern Alberta Railways.

¹ Now Canadian National Railways.

Mr. Geo. Hodge, Manager, Department of Personnel, Canadian Pacific Railway;
 Mr. W. M. Neal, General Manager, Canadian Pacific Railway, Western Lines;
 Mr. W. H. Phillips, Vice-President, Order of Railroad Telegraphers;
 Mr. W. V. Turnbull, Vice-President, Brotherhood of Maintenance of Way Employees;
 Mr. A. E. Warren, Vice-President, Canadian National Railways.

In the month of May 1931, the Board moved its headquarters from Rooms 701-702 Bank of Nova Scotia Building, 437 St. James Street, Montreal, to more convenient quarters in Rooms 716-717 University Tower Building (University at Ste. Catherine Street), where it is now established.

At the meeting of the Board held at Montreal August 10, 1933, it was Resolved, in view of the many *ex parte* submissions received, to communicate with the Chief Executive Officers of the Railways and of the Organizations, parties to the Memorandum of Agreement, asking them to impress upon their Operating Officers and General Chairmen,

respectively, the importance of Joint statements of facts being formulated by the parties in submitting disputes to the Board.

From October 1, 1930, to September 30, 1933, the Board held 11 meetings, sitting 19 days, and rendered decisions in 60 cases. A summary of these cases is attached hereto, specifying the nature of each claim, with a synopsis of decision.

There is also appended a financial statement for the period covered.

Previous reports have been issued by the Board as follows:

First Report, issued October 12, 1920;

Second Report, issued October 1, 1923;

Third Report, issued October 1, 1927;

Fourth Report, issued October 1, 1930;

a copy of any of which can be had on application to the Secretary, Room 716 University Tower Building, Montreal, Que.

H. H. LYNCH,
Chairman.

H. T. MALCOLMSON,
Vice Chairman.

CASES

Railways	Case Numbers	Total cases
CANADIAN NATIONAL RAILWAYS—		
Atlantic Region.....	372, 373, 374, 376, 380, 395, 408, 412.....	8
Central Region.....	361, 368, 371, 375, 377, 378, 385, 386, 387, 388, 394, 396, 409, 410, 413, 414, 415, 416, 417, 418, 419...	21
Western Region.....	364, 365, 366, 367, 379, 400, 401, 402, 403, 404, 411.....	11
CANADIAN PACIFIC RAILWAY—		
Eastern Lines.....	None.	
Western Lines.....	363, 369, 370, Sup. 1 to 370, 381, 382, 383, 384, 390, 391, 392, 393...	12
ESQUIMALT & NANAIMO RLY.....	None.	
KETTLE VALLEY RLY.....	None.	
NORTHERN ALBERTA RAILWAYS.....	362, 397, 398, 399.....	4
TEMISKAMING AND NORTHERN ONTARIO RAILWAY COMMISSION.....	389, 405, 406, 407.....	4
TORONTO, HAMILTON AND BUFFALO RAILWAY COMPANY...	None.	
		60
Organizations		
Brotherhood of Locomotive Engineers.....	369, 370, Sup. to 370, 372, 373, 374, 378, 379, 381, 382, 383, 384, 413.....	13
Brotherhood of Locomotive Firemen and Enginemen.....	361, 374, 389, 399, 411, 413.....	6
Order of Railway Conductors.....	371, 385, 400, 401, 402, 403, 405, 406, 407, 416, 417, 418.....	12
Brotherhood of Railroad Trainmen.....	369, 371, 377, 385, 386, 387, 388, 390, 391, 392, 393, 394, 395, 396, 400, 401, 402, 403, 404, 405, 406, 407, 408, 410, 412, 414, 415, 416, 417, 418, 419.....	31
Order of Railroad Telegraphers.....	362, 363, 364, 365, 366, 367, 375, 376, 380, 397, 398.....	11
Brotherhood of Maintenance of Way Employees..... (of which 14 cases were submitted jointly by two organizations.)	409.....	1

ABBREVIATIONS

RAILWAYS

C.N.R. (A.R.).....	Canadian National Railways, Atlantic Region.
C.N.R. (C.R.).....	“ “ “ Central Region.
C.N.R. (W.R.).....	“ “ “ Western Region.
C.P.R. (W.L.).....	Canadian Pacific Railway, Western Lines.
C.P.R. (E.L.).....	“ “ “ Eastern Lines.
T. & N.O.R. Com.....	Temiskaming and Northern Ontario Railway Commission.
N.A. Rlys.....	Northern Alberta Railways.

ORGANIZATIONS

B.L.E.....	Brotherhood of Locomotive Engineers.
B.L.F. and E.....	Brotherhood of Locomotive Firemen and Enginemen.
O.R.C.....	Order of Railway Conductors.
B.R.T.....	Brotherhood of Railroad Trainmen.
O.R.T.....	Order of Railroad Telegraphers.
B. of M. of W.E.....	Brotherhood of Maintenance of Way Employees.

CANADIAN RAILWAY BOARD OF ADJUSTMENT No. 1

Fifth Report of Proceedings—Summary of Cases submitted to the Board from October 1st, 1930, to September 30th, 1933

Case Nos.	Date Decision Rendered	Parties to Dispute	QUESTION	Synopsis of Decision
1930				
361	Oct. 14, 1930	C.N.R. (C.R.) and B.L.F. & E.	Claim of Engineer and Fireman for a minimum day in each direction, Sarnia to London and returning deadhead.	Contention of Employees sustained.
362	Dec. 10, 1930	N.A. Rlys. and O.R.T.	Dismissal of Agent at Berwyn, Alta.	Contention of Railway sustained with recommendation for restoration to service.
363	Dec. 10, 1930	C.P.R. (W.L.) and O.R.T.	Appointment of local freight agents and local freight staff at North Battleford and Prince Albert, Sask.	Contention of Railway sustained, its action did not constitute a violation of schedule, but recommend negotiations to determine future status.
364	Dec. 10, 1930	C.N.R. (W.R.) and O.R.T.	Manning of Frobisher Tower....	Claim of Employees denied.
365	Dec. 10, 1930	C.N.R. (W.R.) and O.R.T.	Manning of Strathcona Tower...	Claim of Employees denied.
366	Dec. 10, 1930	C.N.R. (W.R.) and O.R.T.	Manning of Midale Tower.....	Claim of Employees denied.
367	Dec. 10, 1930	C.N.R. (W.R.) and O.R.T.	Claim of Agent at Bonnyvale, Alta. for refund.	The Board is unable to decide between respective contentions, and claim is removed from docket.
368	Dec. 10, 1930	C.N.R. (C.R.) and B.R.T.	Claim of Yard Helper at Toronto that he should displace Relieving or Asst. Yardmaster.	Claim of Employees denied.
1931				
369	Feb. 10, 1931	C.P.R. (W.L.) and B.L.E.	Payment to unassigned Engineer being taken off his train at Austin and held to double-head a freight train in opposite direction from Austin to Sydney.	Claim of Employees denied.
370	Feb. 10, 1931	C.P.R. (W.L.) and B.L.E.	Claim of Engineer for 30 minutes, hostling time at Lac du Bonnet June 12, 1929.	Engineer entitled to an allowance of 30 minutes when required to hostle engine, in addition to 30 minutes preparatory time allowance.
Sup. 1 to 370	Aug. 12, 1931	C.P.R. (W.L.) and B.L.E.	Interpretation of Board's decision in claim of engineer for hostling time at Lac du Bonnet.	Claim of employees not sustained.
371	Feb. 10, 1931	C.N.R. (C.R.) and O.R.C. and B.R.T.	The use of an assisting engine on the Gorham-Island Pond Way Freight between North Stratford and Island Pond.	The double heading of way freight trains from North Stratford to Island Pond as a practice is in conflict with provision of agreement as stated.
372	Mar. 10, 1931	C.N.R. (A.R.) and B.L.E.	Payment for fifteen run-around claims of Engineer April 13, 1930.	Contention of employees not sustained. Recommended that representatives of parties confer further with a view to removing cause for friction re arrangements for calling.
373	Mar. 10, 1931	C.N.R. (A.R.) and B.L.E.	Payment for five run-around claims for engineer Oct. 20, 1930.	Contention of employees sustained under circumstances in this case.
374	Apr. 14, 1931	C.N.R. (A.R.) and B.L.E. and B.L.F. and E.	Method of re-assigning engine-men to freight service on trains 475 and 476 Halifax and Moncton and 473 and 474 between Truro and Moncton.	Contention of employees not sustained. No violation of schedule.
375	Apr. 14, 1931	C.N.R. (C.R.) and O.R.T.	Appointment of Agent at Brockville, Ont.	Claim of employees not sustained.
376	Apr. 14, 1931	C.N.R. (A.R.) and O.R.T.	Transfer of Train Despatcher from New Carlisle, Que. to Campbellton, N.B.	Claim of employees not sustained under the special circumstances in this case.

CANADIAN RAILWAY BOARD OF ADJUSTMENT No. 1

Fifth Report of Proceedings—Summary of Cases submitted to the Board from October 1st, 1930, to September 30th, 1933—Continued

Case Nos.	Date Decision Rendered	Parties to Dispute	QUESTION	Synopsis of Decision
377	Aug. 12, 1931	C.N.R. (C.R.) and B.R.T.	Claim of Conductor and crew for two days' pay for extra service performed June 7th and 10th, 1930.	Claim of employees denied. Work performed within switching limits.
378	Aug. 12, 1931	C.N.R. (C.R.) and B.L.E.	Claim of engineer for service performed Oct. 6, 1930.	Claim of employees sustained.
379	Aug. 12, 1931	C.N.R. (W.R.) and B.L.E.	Dispute re discipline assessed Engineer.	Recommends cancellation of demerit marks under the particular circumstances.
380	Oct. 12, 1932 (Heard) (Aug. 11, 1931)	C.N.R. (A.R.) and O.R.T.	Dispute re seniority rights of telegraph operators on Chandler-Caspedia subdivision of Campbellton division.	Decision in case referred to enable parties to negotiate further. Later satisfactory settlement reached and withdrawal requested. Approved.
381	June 15, 1932 (Heard) (Aug. 11, 1931)	C.P.R. (W.L.) and B.L.E.	Claim for hostling time at Midway.	Referred back to parties for further negotiations. Satisfactory settlement reached later and withdrawal requested. Approved.
382	Aug. 12, 1931	C.P.R. (W.L.) and B.L.E.	Claim for hostling time at Neudorf.	Claim of employees not sustained.
383	Aug. 12, 1931	C.P.R. (W.L.) and B.L.E.	Claim for hostling time at Macklin.	Duplicate payment must not be made.
384	Aug. 12, 1931	C.P.R. (W.L.) and B.L.E.	Claim for hostling time at Nipawin.	Duplicate payment must not be made.
385	Mar. 9, 1932	C.N.R. (C.R.) and O.R.C. and B.R.T.	Claim of Conductor and crew for 100 miles under Art. 42 for time at Pembroke, Ont. Jan. 5, 1931.	Claim of employees sustained.
386	Mar. 9, 1932	C.N.R. (C.R.) and B.R.T.	Claim of Yardman at Sarnia for \$94.48 account of not being permitted to exercise seniority to position of helper in St. Clair tunnel.	Claim of employees denied. Yardman in question did not bid on any position as helper.
387	Mar. 9, 1932	C.N.R. (C.R.) and B.R.T.	Seniority of certain express-baggage men.	Claim of employees denied. Seniority dates of the two employees in question in accordance with proper status.
388	Mar. 9, 1932	C.N.R. (C.R.) and B.R.T.	Claim of Passenger Brakeman that he was short paid account earnings of Relief Man for deadheading used to make up monthly guarantee.	Claim of employees sustained.
389	Mar. 9, 1932	T. & N.O.R. Com. and B.L.F. & E.	Manner of assigning certain enginemen in yard service at North Bay Junction.	Case removed from docket of Board in hope that following discussion of the matter before the Board it may be possible to have it disposed of by local arrangement.
390	June 15, 1932	C.P.R. (W.L.) and B.R.T.	Claim of Trainman for acting as pilot on engine running light from Tadanac to Nelson.	Claim of employees denied.
391	June 15, 1932	C.P.R. (W.L.) and B.R.T.	Claim for deadheading from Brandon to Neudorf.	Claim of employees denied.
392	June 15, 1932	C.P.R. (W.L.) and B.R.T.	Claim for deadheading from Maple Creek to Medicine Hat.	Exceptional conditions involved. Claim of employees sustained.
393	June 15, 1932	C.P.R. (W.L.) and B.R.T.	Dispute re pay for guarantee on an assigned way freight.	Claim of employees sustained.
394	June 15, 1932	C.N.R. (C.R.) and B.R.T.	Dismissal of conductor for failure to properly protect Railways' revenue.	Claim of employees not sustained
395	June 15, 1932	C.N.R. (A.R.) and B.R.T.	Dispute re method of payment to train crew on Nos. 39 and 40 between Cape Tormentine and Moncton.	Claim of employees denied.

CANADIAN RAILWAY BOARD OF ADJUSTMENT No. 1

Fifth Report of Proceedings—Summary of Cases submitted to the Board
from October 1st, 1930, to September 30th, 1933—Continued

Case Nos.	Date Decision Rendered	Parties to Dispute	QUESTION	Synopsis of Decision
396	June 15, 1932	C.N.R. (C.R.) and B.R.T.	Seniority of Baggage-men on 14th Seniority District.	Claim of Employees denied. (Case heard originally Mar. 8th, 1932 and referred back to parties for further negotiations, who were unable to reach a satisfactory settlement and case was returned to Board for final decision).
397	Oct. 12, 1932	N.A. Rlys. and O.R.T.	Claim of Relieving Operator for expenses.	Claim of Employees sustained.
398	Aug. 10, 1933 (Heard Oct. 11, 1932 and Aug. 9 and 10, 1933.)	N.A. Railways and O.R.T.	Request for reinstatement of Lineman.	Lineman reinstated to former status not later than Sept. 1, 1933 and as delay and final settlement of case was not caused by Rly., employee shall be paid half salary from Sept. 8, 1931 to date of reinstatement.
399	Aug. 10, 1933 (Considered Oct. 12, 1932 and Aug. 10, 1933.)	N. A. Railways and B.L.F. and E.	Removal of demerit marks from engineer's record.	Discipline removed from engineer's record. Claim of Employees sustained.
400	Oct. 12, 1932	C.N.R. (W.R.) and O.R.C. & B.R.T.	Claim of passenger conductor and trainmen for payment under terminal time rules for time delayed within limits of Saskatoon terminal.	Contention of Employees denied.
401	Oct. 12, 1932	C.N.R. (W.R. and) R.O.C. & B.R.T.	Method of payment of certain train crews employed on Alberta Coal Branch.	Right of Co. to make assignments must be conceded. method of payment outlined.
402	Oct. 12, 1932	C.N.R. (W.R.) and O.R.C. & B.R.T.	Claim of passenger crews for terminal time payment for time consumed within the defined limits of an intermediate terminal when switching is performed.	Service rendered in case in question does not constitute switching. Contention of employees denied.
403	Oct. 12, 1932	C.N.R. (W.R.) and O.R.C. & B.R.T.	Claim of conductor and crew for run-around.	Contention of employees sustained.
404	Oct. 12, 1932	C.N.R. (W.R.) and B.R.T.	Right of Railway to require head-end brakeman to report for duty at a time in advance of time at which balance of crew are required to report.	Similar circumstances practiced, generally, on many Railways. Contention of employees denied.
	1933			
405	Jan. 11, 1933	T. & N.O.R. Com. and O.R.C. and B.R.T.	Method of paying train crews in work train service.	Claim of Employees sustained.
406	Jan. 11, 1933	T. & N.O.R. Com. and O.R.C. and B.R.T.	Manner of compensating conductor in work train service used to pilot light engine to terminal for washout.	Claim of employees sustained under the special circumstances involved in this case.
407	Jan. 11, 1933	T. & N.O.R. Com. and O.R.C. and B.R.T.	Protest of conductors and trainmen re manner of placing crews in passenger service on trains 17, 18, 46 and 47, Time table 71, effective June 12, 1932; and claim of employees for time held at away-from-home terminal in excess of 16 hrs.	Claim of employees denied: 1—No violation of schedule; 2—Not improper assign passenger crews to run out of different stations in same terminal; 3—Displaced crew not entitled to compensation as claimed; 4—Assigned passenger crews not entitled to compensation under Rules 27 and 47 for time held at away-from-home terminal; suggest parties endeavor arrange for periods of longer duration than usual.

CANADIAN RAILWAY BOARD OF ADJUSTMENT No. 1

Fifth Report of Proceedings—Summary of Cases submitted to the Board from October 1st, 1930, to September 30th, 1933—Concluded

Case Nos.	Date Decision Rendered	Parties to Dispute	QUESTION	Synopsis of Decision
408	Jan. 11, 1933	C.N.R. (A.R.) and B.R.T.	Assignment of baggagemen on trains 41 and 42 (mixed) between Sackville, N.B. and Borden, P.E.I. and method of payment.	Claim of employees sustained to extent outlined in General Statement of Decision.
409	May 2, 1933	C.N.R. (C.R.) and B. of M. of W.E.	Claim of painters for time lost as a result of displacement by Steel Workers.	Settlement made on basis of fifty per cent of amount claimed.
410	May 2, 1933	C.N.R. (C.R.) and B.R.T.	Claim of two yard foremen for time lost during May 1932, subsequent to Woodstock Yard being abolished.	Claim of Employees denied.
411	May 2, 1933	C.N.R. (W.R.) and B.L.F. & E.	Claim of Hostler for eight days' pay account of being improperly displaced.	Claim of Employees sustained.
412	May 2, 1933	C.N.R. (A.R.) and B.R.T.	Dispute re method of assigning trainmen on Manifest Trains 473 and 474 between Campbellton and Rivière du Loup.	Claim of Employees not sustained. Management within its rights under schedule.
413	Aug. 10, 1933	C.N.R. (C.R.) and B.L.E. & B.L.F. & E.	Claim of Engineers and Firemen for minimum day for movement made Huntsville to Scotia and return for purpose of turning locomotive on wye.	Claim of Employees sustained.
414	Aug. 10, 1933	C.N.R. (C.R.) and B.R.T.	Claim for deadhead mileage for train crews train No. 1, Dec. 24th and 26th, 1932.	Railways permitted employees to change off to suit their own convenience but did not assume additional obligations thereby. Claim of Employees denied.
415	Aug. 10, 1933	C.N.R. (C.R.) and B.R.T.	Manning of trains 601 and 602 between Richmond and Sherbrooke, St. Lawrence subdivision, with passenger trainmen from Danville subdivision who have no seniority rights in that territory; Claim of brakeman for being used off own territory.	Management within its rights under schedule provisions in assigning crews to operate on the two promotion districts. Claim of employees denied.
416	Heard Aug. 8, 1933.	C.N.R. (C.R.) and O.R.C. & B.R.T.	Claim of conductor and brakemen for 100 miles on each date Sept. 24th and 30th, 1932, when trains 447 and 448 were cancelled between Belleville and Ottawa.	Referred back to parties for more complete information.
417	Aug. 10, 1933	C.N.R. (C.R.) and O.R.C. & B.R.T.	Discipline assessed Conductor in connection with Extra East 3204 sideswiping Extra West 3344 at Kukatush, Ont. July 31, 1932.	Conductor did all that he could do under existing conditions to ascertain that inferior train was in clear. Modification of discipline suggested.
418	Aug. 10, 1933	C.N.R. (C.R.) and O.R.C. & B.R.T.	Method of payment of conductor and men for trip Capreol-North-Bay, Sudbury-Capreol, handling passenger special North Bay to Sudbury.	Two classes of road service. Article 16 should apply. Claim of Employees sustained.
419	Aug. 10, 1933	C.N.R. (C.R.) and B.R.T.	Claim of passenger conductors and trainmen for compensation at freight rates account being required handle freight cars on certain dates during 1931 and 1932.	Two classes of service involved. Service should be paid for under provisions of Article 16 of Schedule.

FIFTH REPORT OF PROCEEDINGS

Receipts and Expenses from October 1st, 1930, to September 30th, 1933

RECEIPTS		EXPENSES	
Balance in Bank Sept. 30, 1930.....\$	3,886 29	Furniture Board Room.....\$	72 00
October, November, December, 1930		Furniture, Office.....	20 00
no receipts—assessments cancelled..		Office Supplies.....	292 56
January, February, March, 1931, no		Printing.....	1,056 26
receipts—assessments cancelled.		Stationery.....	246 42
April 1st to Dec. 31st, 1931.....	5,635 87	Stamps (Postal and Revenue).....	120 00
Jan. 1st to Dec. 31st, 1932.....	6,389 40	Rental and Taxes.....	5,843 12
Jan. 1st to Sept. 30th, 1933.....	4,083 74	Telegraph and Telephone.....	349 17
		Lighting.....	42 03
		Distribution of 4th Report.....	20 00
		Printing of 4th Report.....	85 03
		Funeral Token.....	20 50
		Insurance.....	23 70
		Removal Expenses.....	99 47
		Wages, Bonus, Gratuities.....	9,112 50
			\$ 17,402 76
		Balance in Bank Sept. 30th, 1933.....	2,592 54
			\$ 19,995 30
	\$ 19,995 30		

THE EMPLOYMENT SERVICE OF CANADA

The Employment Service makes no charge to employers or employees. A chain of free Public Employment Offices is operated by the Provincial Governments in co-operation with the Department of Labour at the following points:—

NOVA SCOTIA:

Halifax (Men's)....S1736
Halifax (Women's) S661
New Glasgow 81
Sydney..... 386

NEW BRUNSWICK:

Chatham..... 78
Moncton..... 875
Saint JohnMain 970

QUEBEC:

Amos..... 32
Hull. . . . Sherwood 1731
Montreal—
Men's Sections
General.....
Plateau 6181
North Office. . . .
Crescent 4758
Office and Clerical
Plateau 6181
Women's Sections
East Office. . . .
Cherrier 3148
West Office. . . .
Plateau 8315
North Office. . . .
Dollard 1918
Quebec—
Men's Section....2-2933
Office and Clerical
2-7090
Women's Section
4-2488
Rouyn..... 124
Sherbrooke..... 411
Three Rivers..... 985

MANITOBA:

Brandon..... 3423
Dauphin..... 158
St. Boniface. . . 201-423
Winnipeg.....27-811

ALBERTA:

Calgary—
(Men's).....M6571
(Women's).... M2738
Drumheller..... 671
Edmonton—
(Men's).....25365
(Women's).... 27420
Lethbridge..... 2603
Medicine Hat.... 2222

ONTARIO:

Belleville..... 887
Brantford..... 361
Chatham..... 236
Fort Frances.....
Fort William. . . S2561
Guelph..... 1599
Hamilton—
(Men) Regent 4641, 4642
(Women) .Regent 4643
Kingston..... 1178
Kitchener..... 1612
London..Met. 5295, 5296
New Toronto. N.T. 1957
Niagara Falls. . . 1221
North Bay..... 1112
Oshawa..... 547
Ottawa—
(Men's).... Queen 2027
(Women's) . Queen 1445
Pembroke..... 375
Peterborough..... 571
Port Arthur..... 176
Sarnia..... 1154
Sault Ste. Marie. . 1063
St. Catharines. . . 1269
St. Thomas..... 2001

Telephone

ONTARIO—Cont.

Stratford..... 2258
Sudbury..... 359
Timmins..... 218
Toronto—
(Men's).... Elgin 4471
(Women's).... Ad. 7021
Windsor.....4-2595

SASKATCHEWAN:

Estevan..... 241
Moose Jaw..... 4453
North Battleford. . 378
Prince Albert..... 2820
Regina (Men's).... 5724
Regina (Women's).. 5724
Regina (Teachers')
2726, 5903
Saskatoon (Men's) . 4426
Saskatoon (Women's) 3373
Swift Current..... 2073
Weyburn..... 102
Yorkton..... 63

BRITISH COLUMBIA:

Kamloops..... 820
Nanaimo..... 787
Nelson..... 69
New Westminster. . 182
Penticton..... 22
Prince Rupert..... 138
Vancouver (Men's) S3526
" (Women's) S3526
Victoria (Men's).... 184
" (Women's) 2125